

# ROLL CALL

## Taxation Committee

### House of Representatives

Date: 4/3/07

NAME (18 Members)	PRESENT	ABSENT or EXCUSED
Chairman B. LAKE	✓	
Vice Chair J. SONJU	✓	
Vice Chair J. COHENOUR	✓	
Rep. N. BIXBY	✓	
Rep. M. BLASDEL	✓	
Rep. E. BUTCHER	✓	
Rep. R. ERICKSON	✓	
Rep. W. GRINDE	✓	
Rep. R. HAMILTON	✓	
Rep. E. HILBERT	✓	
Rep. M. JOPEK	✓	
Rep. C. LAMBERT	✓	
Rep. G. MacLAREN	✓	
Rep. D. McALPIN	✓	
Rep. B. NOONEY	✓	
Rep. J.P. POMNICHOWSKI	✓	
Rep. J. ROSS	✓	
Rep. C. VINCENT	✓	



## HOUSE STANDING COMMITTEE REPORT

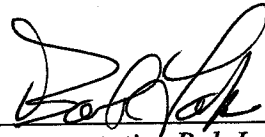
April 3, 2007

Page 1 of 3

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 284** (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

  
Representative Bob Lake, Chair

To be carried by Representative Bob Lake

And, that such amendments read:

1. Title, line 5.

**Following:** "PURPOSES;"

**Insert:** "PROVIDING A STATUTORY APPROPRIATION;"

2. Title, line 6.

**Strike:** "SECTION"

**Insert:** "SECTIONS"

**Following:** "15-68-820"

**Insert:** "AND 17-7-502"

3. Page 1, line 29.

**Strike:** "1.848%"

**Insert:** "0.66%"

4. Page 2, line 9.

**Strike:** "2.534%"

**Insert:** "0.905%"

5. Page 2, line 11.

**Strike:** "2%"

**Insert:** "0.72%"

6. Page 2, line 13.

**Strike:** "0.252%"

**Insert:** "0.09%"

**Committee Vote:**

Yes 17, No 1

Fiscal Note Required X

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4/3/07

7. Page 2, line 14.

**Strike:** "2.275%"

**Insert:** "0.15%"

8. Page 2, line 16.

**Strike:** "39.634%"

**Insert:** "14.155%"

9. Page 2, line 18.

**Strike:** "2.464%"

**Insert:** "0.88%"

10. Page 2, line 20.

**Strike:** "3.801%"

**Insert:** "1.357%"

11. Page 2, line 22.

**Strike:** "\$500,000"

**Insert:** "\$125,000"

12. Page 2, line 27.

**Strike:** "\$500,000"

**Insert:** "\$125,000"

13. Page 2, line 30.

**Strike:** "16.471%"

**Insert:** "5.88%"

14. Page 3, line 4.

**Strike:** "16.471%"

**Insert:** "5.88%"

15. Page 3, line 19.

**Following:** line 18

**Insert:** "(4) The allocations in subsections (1)(a) through (1)(j), (2), and (3) are statutorily appropriated, as provided in 17-7-502, for the indicated purposes."

16. Page 3, line 19.

**Insert:** "Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --  
**requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be

listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-68-820; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)""

**Renumber:** subsequent sections

- END -



## HOUSE STANDING COMMITTEE REPORT

April 3, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 316** (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

A handwritten signature in dark ink, appearing to read "Bob Lake".

*Representative Bob Lake, Chair*

To be carried by Representative Ron Erickson

And, that such amendments read:

1. Title, line 7.

**Following:** "BY"

**Insert:** "THE FEDERAL GOVERNMENT,"

**Following:** "STATE"

**Insert:** ", "

2. Page 3, line 4.

**Following:** "by"

**Insert:** "the federal government,"

3. Page 3, line 22.

**Strike:** "an eminent domain"

**Insert:** "a public use"

**Following:** "by"

**Insert:** "the federal government,"

**Following:** "state"

**Insert:** ", a county, or a municipality"

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required ☐

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*for*  
4/3/07

# VISITORS REGISTER

## Montana House of Representatives TAXATION COMMITTEE

Date: April 3, 2007

Bill No: SB 201

Sponsor(s): Sen. Rick Laible  
(Revise subdivision laws)

*Please print ~ Please print ~ Please print ~ Please print ~ Please print*

NAME	REPRESENTING	Support	Oppose	Informt'l
M. S. KAKUK	MT. ASSN. RE. HOS	✓		
TIM DAVIS	MSGL	✓		
Glenn Oppel	MT. Prealtors	✓		
HAROLD Blattie	MACU			X
LINDA SOELL	MT ASSN OF PLANNERS	✓		

*Please leave prepared testimony with Committee Secretary. Witness  
Statement forms are available if you care to submit written testimony.*

# VISITORS REGISTER

## Montana House of Representatives TAXATION COMMITTEE

Date: April 3, 2007

Bill No: SB 281

Sponsor(s): Sen. Joe Balyeat

*(Simplify income taxation for married couples filing individually)*

*Please print ~ Please print ~ Please print ~ Please print ~ Please print*

NAME	REPRESENTING	Support	Oppose	Informt'l
Brian Olsen	DOR			X
Mary Whittell	MT Taxpayers Assoc	X		
Holly Franz	MT Society of CPAs	X		

*Please leave prepared testimony with Committee Secretary. Witness  
Statement forms are available if you care to submit written testimony.*

# VISITORS REGISTER

## Montana House of Representatives TAXATION COMMITTEE

Date: April 3, 2007

Bill No: SB 174

Sponsor(s): Sen. Jim Elliott

*(Revise laws on revenue administration)*

*Please print ~ Please print ~ Please print ~ Please print ~ Please print*

NAME	REPRESENTING	Support	Oppose	Informt'l
Gene Walborn	DOR	X		
Holly Franz	MT Society of CPAs	✓		

*Please leave prepared testimony with Committee Secretary. Witness  
Statement forms are available if you care to submit written testimony.*



# VISITORS REGISTER

## Montana House of Representatives TAXATION COMMITTEE

Date: April 3, 2007

Bill No: SB 210

Sponsor(s): Sen. Jesse Laslovich

(Revise energy conservation and weatherization laws)

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NAME	REPRESENTING	Support	Oppose	Informt'l
MARG CRENNEN	AARP MONTANA	X		
Brian Olsen	DDR			to
Linda Gryczan	NCA T	✓		
Kathy Hedberg	NCA T	✓		
Matt Elsaesser	SAVE End	✓		
Kelly Gebhardt	Senate Dist 23	✓		
Tim Peterson	SD 15	✓		
Pat Torgerson	<del>Self</del> Self	✓		

Please leave prepared testimony with Committee Secretary. Witness  
Statement forms are available if you care to submit written testimony.